

Jim Morrison
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ATTORNEY FOR DEBTOR(S)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:	§	
	§	CASE NO. 18-41189-13
HAROLD LAYNE CURTS	§	
	§	CHAPTER 13
Debtor(s)	§	

OBJECTION TO CLAIM OF RUSHMORE LOAN MGMT SERVICE

TO THE HONORABLE JUDGE OF THIS COURT:

NO HEARING WILL BE CONDUCTED ON THIS OBJECTION TO CLAIM UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT U.S. Bankruptcy Court Eldon B. Mahon U.S. Courthouse, 501 W. 10th St., Rm. 147, Fort Worth, TX 76102-3643 BEFORE 33 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

COME NOW **Harold Layne Curts**, Debtor(s) in the above-numbered and styled cause, who files this their Objection to Claim of Rushmore Loan Mgmt Service ("Respondent"), and would respectfully show the Court as follows:

1. Debtor(s) **Harold Layne Curts** filed for bankruptcy protection under Chapter 13 on 3/29/2018 and their Plan was subsequently confirmed.

2. The last date for which creditors could file claims was 6/7/2018. On or about 6/7/2018, Respondent filed its proof of claim in the amount of \$25,466.84

3. Debtors object to Respondent's proof of claim due to the fact proof of payment has not been credited around the time the loan transferred from Chase to Rushmore.

WHEREFORE, PREMISES CONSIDERED, Debtors Harold Layne Curts pray that the Court sustain Debtor's objection; disallow Respondent's claim; and for such other and further relief as the Court deems just.

Dated: November 27, 2018

Respectfully Submitted,

ALLMAND LAW FIRM, P.L.L.C.

/s/ Jim Morrison

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 29, 2018, the following parties were served a true copy of the foregoing on all the following parties via the method indicated below.

VIA ELECTRONIC NOTICE THROUGH COURT'S ECF SYSTEM

Pam Bassel, Chapter 13 Trustee

VIA U.S. MAIL

Rushmore Loan Management Services, LLC
PO Box 55004
Irvine, CA 92619-2708

By: /s/ Jim Morrison
Jim Morrison
State Bar No. 14519050